

### **AMENDMENTS TO THE DRAWINGS**

*The attached 2 sheets of drawings include proposed replacement drawings 1 – 2. These sheets, which include Figures 1-3, are proposed to replace the original drawing sheets 1-2 including Figures 1 – 3.*



## REMARKS

Claims 1–20 and 22 are presented for reconsideration and further examination in view of the foregoing amendments and following remarks.

In the outstanding Office Action, the Examiner objected to the size of the drawings and drawing numeral text and the listing of items and instructions on the drawings figures and suggested additional text labeling for certain drawing elements. The Examiner also objected to the drawings as failing to comply with 37 C.F.R. 1.84(p)(5) for failing to include reference signs “10a” and “Fig. 2c,” mentioned in the description and to Figure 2 for including reference numerals “8” and “11,” not appearing in the written specification.

In the outstanding Office Action, the Examiner objected to the specification because of various informalities, suggested and required appropriate corrections.

In the outstanding Office Action, the Examiner objected to claims 2, 3, 16 and 18 because of various informalities, suggested and required appropriate corrections. The Examiner additionally noted that Applicants should consider deleting the reference numerals from the claims.

In the outstanding Office Action, the Examiner rejected claim 21 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

In the outstanding Office Action, the Examiner also rejected claims 3, 12 and 13 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

By this Response and Amendment, claims 1-20 have been amended. Claim 21 has been cancelled without prejudice or disclaimer. Claim 22 remains unchanged. In this regard,



Applicants note that the amended claims merely clarify the subject matter recited in the rejected claims, but do not narrow the scope of the claims. Claims 1-20 have been amended to remove reference numerals as recommended by the Examiner. Claims 2, 3, 12, 16, and 18-20 have also been amended to adopt the phrasing suggested by the Examiner's objections and/or address the Examiner's rejections.

It is respectfully submitted that the above amendments do not introduce any new matter to this application within the meaning of 35 U.S.C. §132.

### **Objection to the Drawings**

The Examiner objected to the size of the drawings and drawing numeral text and the listing of items and instructions on the drawings figures and suggested additional text labeling for certain drawing elements. The Examiner also objected to the drawings as failing to comply with 37 C.F.R. 1.84(p)(5) for failing to include reference signs "10a" and "Fig. 2c," mentioned in the description and to Figure 2 for including reference numerals "8" and "11," not appearing in the written specification.

### **Response**

The attached proposed amendments to the drawing are believed to address the Examiner's objections. Per the Examiner's requirement, the drawings have been enlarged and the listings of items and instructions on the drawing figures have been removed. Additional descriptive textual labels, as suggested by the Examiner, are now provided for reference boxes 1 and 3 in Figure 1 and reference boxes 12 and 13 in Figure 2, respectively. The three figures of Figure 2 have each been labeled as a different figure, Figure 2a, 2b and 2c, respectively.



Applicants thank the Examiner for noting inconsistencies between the drawings and the specification for certain reference numerals and have addressed those numerals and designations through amendments to the drawing and the specification.

Applicants respectfully submit that the above amendments obviate the Examiner's objections to the drawings.

### **Objections to the Specification**

The Examiner objected to the specification because of various informalities, suggested and required appropriate corrections.

### **Response**

By this Response and Amendment, Applicants submit replacement paragraphs addressing the Examiner's objections and incorporating all of the Examiner's suggestions.

Applicants note that with respect to the Examiner's requirement for one of the phrases -- What is Claimed is: -- or -- What We Claim Is: -- to be inserted prior to the introduction of the claims, that MPEP 608.01(m) *Form of Claims* states: "[W]hile there is no set statutory form for claims, the present Office practice is to insist that each claim must be the object of a sentence starting with 'I (or we) claim,' 'The invention claimed is' (or the equivalent). If, at the time of allowance, the quoted terminology is not present, it is inserted by the Office of Patent Publication." Thus, Applicants believe the Examiner's objection to be unnecessary, but for the purposes of expediting prosecution, have included the language suggested by the Examiner.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding objections.



### **Objections to the Claims**

The Examiner objected to the specification because of various informalities, suggested and required appropriate corrections.

### **Response**

By this Response and Amendment, Applicants submit replacement paragraphs addressing the Examiner's objections and incorporating all of the Examiner's suggestions.

Additionally, Applicants have amended the claims to remove the reference numerals as suggested by the Examiner in his Note on page 4 of the Office Action.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding objections.

### **Claim Rejection under 35 U.S.C. § 112, first paragraph**

The Examiner rejected claim 21 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

### **Response**

By this Response and Amendment, claim 21 has been cancelled without prejudice or disclaimer of the content therein and therefore the rejection thereto is considered moot.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection.



### **Claim Rejections under 35 U.S.C. § 112, second paragraph**

The Examiner rejected claims 3, 12 and 13 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

### **Response**

By this Response and Amendment, claims 3, 12 and 13 have been amended to address the Examiner's rejections. Specifically:

Claim 3 has been amended to correct a typographical error in the dependency of the claim so that claim 3 now depends upon independent claim 1;

Claim 12 has been amended to correct a typographical error in the dependency of the claim so that claim 12 now depends upon claim 10 which contains the phrase "a heating medium" and thereby provides proper antecedent basis for the phrase "said heating medium" of claim 12; and

Applicants note that the amendment to claim 12 also provides proper antecedent support for of the phrase "the open space between said capillaries" of claim 13, as claim 13 depends upon claim 12, claim 12 has now been corrected to depend upon claim 10, claim 10 depends upon claim 8 and claim 8 recites that "said open tubular capillaries [referencing claim 1] have open space between them."

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.



## **CONCLUSION**

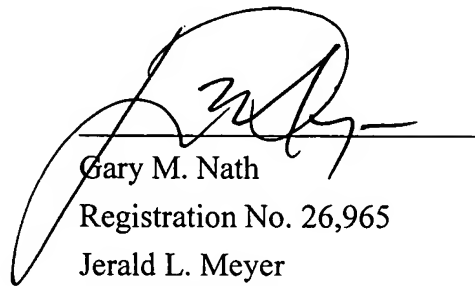
In light of the foregoing, Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner call the undersigned attorney(s).

Respectfully submitted,

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